

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA, ) No. CR-07-0776 CW  
Plaintiff, ) ORDER GRANTING STIPULATED  
v. ) REQUEST TO VACATE HEARING  
RUDY VARVEL, ) DATE TO MAY 7, 2008 AND TO  
Defendant. ) EXCLUDE TIME UNDER THE SPEEDY  
 ) TRIAL ACT  
 ) Date: April 16, 2008  
 ) Time: 2:00 p.m.  
 ) Court: Hon. Claudia Wilken

The parties jointly requested that the hearing in this matter be moved from April 16, 2008 to May 7, 2008, and that time be excluded under the Speedy Trial Act between April 15, 2008 and May 7, 2008 to allow Defendant additional time to review the discovery, to investigate this matter, and to effectively prepare for the hearing taking into account the exercise of due diligence. Additionally, the parties are currently negotiating a global resolution of this matter to encompass the two charged attempted bank robberies as well as currently uncharged actual bank robberies. This resolution will likely involve a separate, but related, plea agreement between the Sacramento District Attorney's Office and Defendant. The parties therefore need additional time to complete negotiations and documentation of this global agreement, which may require the transfer of Defendant, following judgment in the above-captioned matter, into state custody for entry of a plea in Sacramento County and then return of Defendant to federal custody. For these stated reasons, the Court finds that the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial. Good cause

1 appearing therefor, and pursuant to 18 U.S.C. § 3161(h)(8)(B)(iv),

2 **IT IS HEREBY ORDERED** that the status hearing in this matter is moved from April  
3 16, 2008 to May 7, 2008 at 2:00 p.m., and that time between April 15, 2008 and May 7, 2008 is  
4 excluded under the Speedy Trial Act to allow for the effective preparation of counsel, taking into  
5 account the exercise of due diligence.

6 4/16/08

7 DATED: \_\_\_\_\_

*Claudia Wilken*

8 HON. CLAUDIA WILKEN  
United States District Judge

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